

Message Text

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C O N F I D E N T I A L STATE 109690

CINCPAC ALSO FOR POLAD

FOLLOWING REPEATS HONG KONG 5120 ACTION DEPT INFO KUALA
LUMPUR LONDON PEKING MAY 9TH

QUOTE

C O N F I D E N T I A L HONG KONG 5120

USLO PEKING FOR CROSS

E.O. 11652: GDS

TAGS: SREF US SV HK

SUBJ: RESETTLEMENT OF SELF-EVACUATED VIETNAMESE REFUGEES:
THE US POLICY AND HONG KONG

REF: STATE 107610

SUMMARY: POLICY GUIDANCE SO FAR SUPPLIED BY THE DEPART-
MENT DOES NO FIT THE CIRCUMSTANCES OF THE VIETNAMESE
REFUGEE SITUATION IN HONG KONG IT IS HOPED THAT USG CAN
BE SOMEWHAT MORE FORTHCOMING ALONG THE LINES INDICATED
HERIN. END SUMMARY

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1. WHILE WE APPRECIATE THE POLICY GUIDANCE PROVIDED

REFTEL, IT DOES NOT STRICTLY APPLY TO THE SITUATION IN HONG KONG. NONE OF THE REFUGEES HERE "HAVE SOUGHT REFUGE" IN HONG KONG. EITHER, THEY HAVE BY CIRCUMSTANCES BEYOND THEIR CONTROL ARRIVED ILLEGALLY IN THE COLONY AND WOULD NOT APPEAR TO BE "IN THE FIRST INSTANCE THE RESPONSIBILITY" OF HONG KONG. NEVERTHELESS, THE HKG, ON HUMANITARIAN GROUNDS, HAS ACCEPTED THEM TEMPORARILY AND IS TAKING CARE OF THEM WHILE SEEKING THE ASSISTANCE OF OTHER COUNTRIES IN OBTAINING RELIEF FROM THIS BURDEN. IT IS INEVITABLE THAT THE HKG WILL LOOK TO THE US TO ACCEPT THOSE VIETNAMESE REFUGEES CURRENTLY IN HONG KONG WHO HAVE TIES WITH THE US. THERE ARE A LOT OF THEM WHO WILL BE ABLE TO DEMONSTRATE SUCH TIES.

2. THE FIRST GROUP FOR WHICH WE WILL BE EXPECTED TO ANSWER ARE THOSE 58 ON BOARD THE SWISS AIR FLIGHT FROM BANGKOK APRIL 30 WHO WERE BROUGHT INTO THE COLONY UNDER THE PATRONAGE OF A PUBLIC-SPIRITED CALIFORNIAN. THERE WERE GIVEN AN ADDITIONAL STAY OF 24 HOURS IN HONG KONG AS A DIRECT RESULT OF THE CONSULATE GENERAL'S INTERVENTION WITH THE HKG ON INSTRUCTIONS FROM THE DEPARTMENT (STATE 101380). THE REQUEST FOR DELAY CARRIED WITH IT THE IMPLICIT UNDERSTANDING WE WERE MAKING PROGRESS TOWARD MOVING THEM ON TO US (HK 4767). AN ADDITIONAL ONE WEEK STAY WAS AUTHORIZED BY HKG AS RESULT OF DEPARTMENT'S INTERVENTION WITH BRITISH EMBASSY, WASHINGTON (STATE 101706). THE WEEK EXPIRES ON MAY 11.

3. NINE VIETNAMESE FROM AN EARLIER AIR AMERICA FLIGHT HAVE JOINED THE 58 IN A SEPARATE HONG KONG ENCAMPMENT. THE US AIRLINE ILLEGALLY BROUGHT THESE NINE PERSONS INTO HONG KONG AND HKG AUTHORITIES CONSIDER THE AIRLINE AND /OR THE USG TO BE RESPONSIBLE.

4. THE US TIES TO THE 3,700 S.S. CLARA MAERSK REFUGEES HAVE NOT YET BEEN DETERMINED. THE REFUGEES ARE BEING SCREENED BY HKG IMMIGRATION PRIOR TO DIRECT APPEALS TO THEIR COUNTRIES FOR ASSISTANCE. WHILE ACKNOWLEDGING THE HONG KONG ITSELF MUST ABSORB SOME, THE HKG IS PRESSURING THE US, FRANCE, CANADA, AUSTRALIA, THE UK AND OTHERS TO AGREE TO ACCEPT THOSE OF THE SHIPWRECKED REFUGEES WHO EXPRESS PREFERENCE FOR SETTLEMENT IN THOSE COUNTRIES AND WHO HAVE DEMONSTRATED THEY HAVE TIES THERE. THERE ARE INDICATIONS THAT HKG WILL RECEIVE

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SOME POSITIVE RESPONSE.

5. THE GUIDELINES IN REFTEL SAY THAT THE US DOES NOT RPT NOT ASSUME RESPONSIBILITY FOR THE REFUGEES REFERRED TO ABOVE. THE GUIDELINES, HOWEVER, SEEM AT ODDS WITH WHAT AMBASSADOR BROWN HAS SAID PUBLICLY IN HIS TESTIMONY MAY 5 TO THE HOUSE JUDICIARY COMMITTEE. ALTHOUGH HE INDICATED THIRD COUNTRIES WOULD BE REQUIRED TO PROVIDE ASYLUM IN THE FIRST INSTANCE AND INTERNATIONAL

ORGANIZATIONS IN THE SECOND, HE INDICATED THAT THERE WOULD
EVENTUALLY BE A CASE-BY-CASE OR CLASS-BY-CLASS CONSIDERATION BY
USG. THIS APPROACH WOULD CERTAINLY BE ACCEPTABLE IN THE HONG
KONG SITUATION.

6. REFTEL GUIDELINES APPEAR TO PLACE OUTSIDE OF US CONSIDERATION
ALL THOSE VIETNAMESE REFUGEES WHO WERE NOT ABLE TOGET THEMSELVES
INCLUDED IN OUR OWN HASTILY IMPROVISED AND ADMITTEDLY IMPERFECT
EVACUATION. IT IS OUR OWN VIEW THAT, UNLESS WE ACCEPT RESPONSI-
BILITY FOR THOSE VIETNAMESE REFUGEES IN HONG KONG WHO ARE
LEGITIMATELY OUR CONCERN, WE WILL BE REFUSING TO ASSIST HONG
KONG TO INTERNATIONALIZE ITS REFUGEES BURDEN AND THEREBY UNDERCUT
OUR OWN EFFORTS TO INTERNATIONALIZE OUR OWN BURDEN.

7. REQUEST FURTHER INSTRUCTIONS.
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